

State of South Dakota

SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

294D0706

HOUSE BILL NO. 1231

Introduced by: Representative Volesky and Senators Staggers, Flowers, and Kloucek

1 FOR AN ACT ENTITLED, An Act to extend the time for independent presidential candidates
2 to file nominating petitions.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-7-1 be amended to read as follows:

5 12-7-1. Any candidate for nonjudicial public office who is not nominated by a primary
6 election may be nominated by filing with the secretary of state or county auditor as prescribed
7 by § 12-6-4, not prior to January first at eight a.m. and not later than the third Tuesday in June
8 at five p.m. prior to the election, a certificate of nomination which shall be executed as provided
9 in chapter 12-6. If the certificate of nomination is mailed by registered mail by the third Tuesday
10 in June at five p.m. prior to the election, it is timely submitted. However, any independent
11 candidate for President shall have until five p.m. on the first Tuesday in August prior to the
12 election to submit the certificate of nomination. The certificate shall specify that an independent
13 candidate for nonjudicial public office shall designate the name of any national political party, or
14 political party organized pursuant to chapter 12-5, with which the candidate has an affiliation.
15 If no affiliation exists, the candidate shall be designated by the term, no party. It shall be signed
16 by registered voters within the district or political subdivision in and for which the officers are
17 to be elected. The number of signatures required may not be less than one percent of the total

1 combined vote cast for Governor at the last certified gubernatorial election within the district or
2 political subdivision. An independent candidate for Governor shall certify the candidate's
3 selection for lieutenant governor to the secretary of state prior to circulation of the candidate's
4 nominating petition. An independent candidate for President shall file a declaration of candidacy
5 and a certification of the candidate's selection for vice president with the secretary of state prior
6 to circulation of the candidate's nominating petitions. The candidate and the candidate's selection
7 for lieutenant governor or vice president shall sign the certification before it is filed. The State
8 Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the
9 certificate of nomination and the certification for lieutenant governor and vice president.